

## 2008-9 Statistics Tables – Explanatory Notes and Commentary

**Tables:** Attached are summary details of the contacts and complaints about your Council that the SPSO received and determined in 2008-09. Table 1 details total contacts (by our subject categories) received for your Council for 2007-08 and 2008-09, alongside the total of local authority complaints for these years. We recorded 51 complaints about the Council, compared to 37 in the previous year. Table 2 shows the outcomes of complaints determined by the SPSO in 2008-09.

**Graphs:** The first graph provides a visual representation of the information from the right side of Table 1. You'll see that in 2008-09 your Council was above the national average in terms of complaints about housing. Your Council was below the average for complaints about roads & transport. We received more complaints for your Council about housing and social work, and fewer complaints about planning than in the previous year.

The second graph shows for each Council the percentage of complaints that we received and determined as premature, against the national average in 2008-9 (60%). We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of the organisation. The graph does not reflect the number of premature complaints that we received about your Council, but shows how your Council, proportionately, compares against the average for Scottish local authorities. Your Council is number 20 on the graph, slightly below the average. You'll see from Table 2 that the actual number of premature complaints for your Council was 28 out of a total of 49 complaints determined (57% of the total for your Council). This was a slight increase on the previous year's figure of 27 out of 53 (51% of the total for your Council). This, of course, doesn't represent a large increase in numbers, but shows an increase in the *proportion* of complaints we determined to be premature.

*NB We don't adjust any of our figures to mitigate the impact of housing stock transfer. It's evident, however, that there's a tendency for authorities that retain housing stock to receive more complaints and to fall higher within the prematurity graph than those that have undertaken stock transfer. This is to be expected given that housing complaints are usually the largest category of complaint and that there's a disproportionately high incidence of prematurity with housing complaints.*

### Complaints and Recommendations Reported to Parliament

We reported on two complaints about your Council in 2008-09, of which we upheld one and partially upheld the other. Attached is a summary sheet showing these complaints, and summarising the recommendations made. As you are no doubt aware, SPSO Complaints Investigators follow up to find out what changes have been made as a result of recommendations.

.....

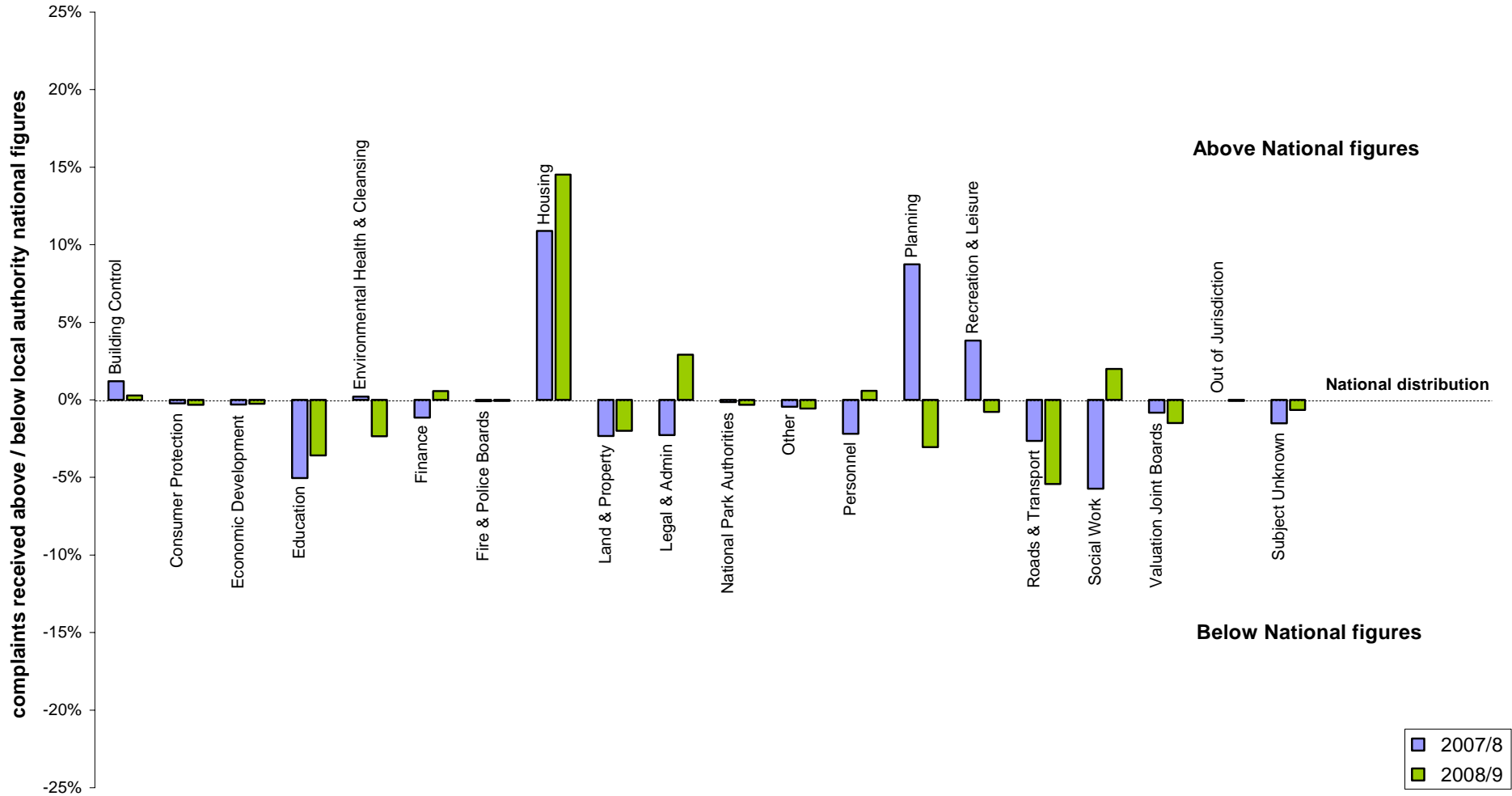
We hope that you find this summary information useful. If you have any enquiries about the statistics, please contact Annie White, SPSO Casework Knowledge Manager, on 0131 240 8843 or email [awhite@spsso.org.uk](mailto:awhite@spsso.org.uk). Fuller statistical reports are available on our website at: <http://www.spsso.org.uk/statistics/index.php>.

## East Lothian Council

Table 1

Received by Subject	2007/8			All Local Authority Complaints			2008/9			All Local Authority Complaints		
	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total
Building Control	1	1	3%	20	2%		1	1	2%	27	2%	
Consumer Protection	0	0	0%	3	0%		0	0	0%	5	0%	
Economic Development	0	0	0%	4	0%		0	0	0%	4	0%	
Education	1	0	0%	67	5%		2	1	2%	89	6%	
Environmental Health & Cleansing	3	2	5%	69	5%		2	1	2%	69	4%	
Finance	5	3	8%	123	9%		5	5	10%	148	9%	
Fire & Police Boards	0	0	0%	1	0%		0	0	0%	1	0%	
Housing	18	15	41%	394	30%		22	22	43%	459	29%	
Land & Property	1	0	0%	31	2%		0	0	0%	32	2%	
Legal & Admin	1	1	3%	66	5%		4	4	8%	79	5%	
National Park Authorities	0	0	0%	2	0%		0	0	0%	5	0%	
Other	0	0	0%	6	0%		1	0	0%	9	1%	
Personnel	0	0	0%	29	2%		1	1	2%	22	1%	
Planning	12	10	27%	243	18%		7	7	14%	269	17%	
Recreation & Leisure	3	2	5%	21	2%		1	1	2%	44	3%	
Roads & Transport	3	1	3%	71	5%		0	0	0%	87	5%	
Social Work	3	2	5%	148	11%		7	7	14%	188	12%	
Valuation Joint Boards	0	0	0%	11	1%		0	0	0%	24	1%	
Out of Jurisdiction	0	0	0%	0	0%		0	0	0%	1	0%	
Subject Unknown	2	0	0%	20	2%		1	1	2%	42	3%	
<b>Total</b>	<b>53</b>	<b>37</b>		<b>1,329</b>			<b>54</b>	<b>51</b>		<b>1,604</b>		

**Complaints received by subject: East Lothian Council proportions compared to the distribution of all local authority complaints received**



## East Lothian Council

Table 2

<b>Complaints Determined by Outcome</b>		<b>2007/8</b>		<b>2008/9</b>	
			<i>All Local Authority</i>		<i>All Local Authority</i>
Assessment	Premature	27	760	28	923
	Out of Jurisdiction	2	154	5	102
	Withdrawn or failed to provide information before investigation	2	178	3	158
	Discontinued or suspended before investigation	7	42	1	12
Examination	Determined after detailed consideration	6	240	10	279
Investigation	Report issued: not upheld	4	82	0	25
	Report issued: partially upheld	4	62	1	22
	Report issued: fully upheld	1	23	1	15
	Withdrawn or failed to provide information during investigation	0	4	0	1
	Discontinued or suspended during investigation	0	13	0	9
<b>Total</b>		<b>53</b>	<b>1,558</b>	<b>49</b>	<b>1,546</b>

East Lothian Council

Published	Case Ref.	Summary	Decision	Recommendation(s)
23/04/08	200601252	the Council: (a) unduly delayed in replacing the windows in Ms C's home (partially upheld); (b) unduly delayed in repairing a lintel above a window (upheld); and (c) failed to keep an accurate record of Ms C's contact with them (partially upheld).	partially upheld	(i) apologise to Ms C for the delays which occurred in installing the new windows and for implementing the repair to the lintel above the living room window; and (ii) make Ms C an appropriate payment in recognition of the costs she incurred in pursuing matters with them. The Council have accepted the recommendations and will act on them accordingly.
22/10/08	200600448	(a) failed to respond to Ms C's telephone and written enquiries concerning roof trusses during January and February 2005 (upheld); (b) failed to make any specific comment on the fact that Ms C had to re-engage her builder to complete a further Completion Certificate application and Electrical Certificate when these had already been received by the Council and were on file (upheld); (c) did not properly consider Ms C's claim for compensation (upheld); and (d) failed to follow their formal complaints procedure when dealing with Ms C's complaint (upheld).	upheld	(i) ensure that it has suitable procedures in place to prevent documentation being overlooked in future; (ii) remind all relevant staff of the importance of responding to requests for compensation; and (iii) review its compliance with its complaints procedures to ensure that complainants are kept informed if timescales cannot be met. The Council have accepted the recommendations and will act on them accordingly.